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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Petition by the United States Department of)
 Transportation for Assignment of an)
 Abbreviated Dialing Code (N11) to Access)
 Intelligent Transportation System (ITS) Services)
 Nationwide)

NSD-L-99-24

Request by the Alliance of Information and)
 Referral Systems, United Way of America, United)
 Way 211 (Atlanta, Georgia), United Way of)
 Connecticut, Florida Alliance of Information and)
 Referral Services, Inc., and Texas I&R Network)
 For Assignment of 211 Dialing Code)

NSD-L-98-80

The Use of N11 Codes and Other Abbreviated)
 Dialing Arrangements)

CC Docket 92-105

To: The Commission

**OPPOSITION OF THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
 TO PETITIONS FOR RECONSIDERATION**

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April 12, 2001

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The American Public Transportation Association (APTA) opposes the Petitions for Reconsideration in the proceeding entitled “The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105.”

About APTA

APTA is a nonprofit international trade association of over 1,350 public and private member organizations including transit systems and commuter rail operators; planning, design, construction and finance firms; product and service providers; academic institutions, and state associations and departments of transportation. APTA members serve the public interest by providing safe, efficient and economical transit services and products. Over ninety percent of persons using public transportation in the United States and Canada are served by APTA members.

APTA Opposes Petitions for Reconsideration

APTA strongly opposes the Petitions for Reconsideration seeking to overturn or significantly alter the Commission’s assignment of 511 to government agencies for the provisioning of traveler information services. For the following reasons, we respectfully request that the Petitions for Reconsideration be denied in all respects -

- On procedural matters, each of the Petitioners received sufficient opportunity to comment on the proposed assignment. In our view, the Commission was not required to publish its order assigning 511 for traveler information services in the *Federal Register*.
- The 511 assignment properly applies to wireless carriers. Those supporting the Department of Transportation’s Petition requesting the assignment produced a substantial record illustrating the significant public benefits to be gained from such an assignment.

- The 511 Order will not have an anticompetitive effect on wireless carriers. Wireless carriers and others may continue to offer their own branded services to the public on a fee-for-service or other payment method.
- We in the transportation community recognize that wireless carriers face technical and operational obstacles for routing 511 calls on their networks, but these hurdles can be overcome through cooperative efforts.
- Finally, as noted below, the public transportation industry is actively working with others to ensure the success of the traveler information number, and believes that wireless partners are vital to that effort. There is no question that 511 serves the public interest by maximizing the benefits of traveler information, resulting in less congestion, reduced air pollution, improved productivity and enhanced public safety.

Comments

Background

APTA believes the assignment of 511 is one of the most important transportation decisions in fifty years. More than three hundred transit agencies currently operate traveler information systems using the telephone as the primary communications channel. In the more than 40 metropolitan areas where central numbers exist, these networks offer a wealth of information regarding schedule/route, and real-time information. Use of these networks will be enhanced through the use of 511.

Transit agencies that do not currently have a traveler information system in place have indicated that the availability of 511 will facilitate efforts to provide schedule/route, and other traveler information. A recent survey of our member organizations reveals that a significant number of transit agencies without traveler information services will use 511 to provide the public with real-time traveler information.

The transit industry recognizes that we must rely on technology to inform our community's residents about traveler information. We believe that confidence in having instant access to information will cause more people to realize that public transportation is their best option, thereby enhancing the safety and efficiency of the entire transportation system for all persons.

511 Policy Committee

To reach these goals, APTA is participating in a nationwide coalition - the 511 Policy Committee - which includes both public and private organizations. This intermodal coalition is currently developing policies for implementation that will set a compelling vision that incorporates the best ideas from both the public and private sectors. We believe the vision and implementation architecture will provide substantial benefits to the traveling public and offer creative business opportunities for the private sector.

Membership of the 511 Policy Committee includes the secretaries of eight state departments of transportation; the chief executives of seven municipal transportation agencies; executives from three public transit agencies; senior executives from six companies that supply traveler information; and a representative from each of the Cellular Telecommunications & Internet Association ("CTIA"), the United States Telephone Association ("USTA"), a Regional Bell Operating Company, the American Automobile Association and the Institute of Transportation Engineers. The chairman of the committee is the Minnesota Secretary of Transportation.

Recognizing that a national response is needed to implement 511 successfully, US DOT and the co-sponsors have committed time and resources to bring together all the interests, including the telecommunications industry, that must participate in order to deploy 511. The 511 Policy Committee most recently met on March 29-30, 2001, in Tampa, Florida. The committee is examining many of the same issues raised in the Petitions for Reconsideration. The 511 Policy Committee works by consensus and is the most effective forum for resolving conflicts. Further participation from the telecommunications industry is encouraged.

This coalition has concluded that the traveling public should expect a certain minimum level of quality and a degree of consistency in 511 and is now in the process of drafting guidance for transportation agencies implementing 511. These guidelines will define a minimum level of content, quality, and consistency for the “road conditions and transit” portion of travel conditions.

Involvement of Wireless Carriers Critical

In order for 511 to be useful, the assignment must apply to wireless carriers. It is expected that a significant number of calls to 511 will come from mobile phones. Wireless carriers are vital partners in ensuring that 511 will succeed. Permitting wireless carriers to “opt out” of assignment would fatally harm deployment efforts. Without the ability to access 511 from a mobile phone, the practical benefit of 511--that of providing traveler information to the traveling public--would be lost. While there are technical issues to be resolved, requesting agencies and carriers can work together to arrive at solutions that reflect local conditions and concerns.

Conclusion

The 511 service will benefit virtually every citizen every day, and improve the mobility of goods and people. People depend increasingly on wireless communications to facilitate that mobility. The transit industry recognizes the critical benefits 511 service will provide in a variety of ways, most especially in public safety. To exempt the wireless industry from the 511 order would render the FCC’s national designation of 511

for traveler information meaningless. Therefore, APTA respectfully requests that the FCC deny the Petitions for Reconsideration. For further information, please contact Lou Sanders at (202) 496-4886, or internet e-mail "lsanders@apta.com".

Respectfully submitted,



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